

REMARKS

Claim 313 stands rejected under 35 U.S.C. §102 (e) as being anticipated by US patent number 6,166,728 (hereinafter Haman).

Claims 246-312 stand rejected under 35 U.S.C. §103 (a) as being unpatentable over US patent number 5,192,999 (hereinafter Graczyk), in view of Haman.

Claim Rejections under 35 U.S.C. §102

Claim 313 has been amended, as indicated herein, to include the following limitations:

communicate between the machine and a local computer, the local computer being collocated with the machine; and

retrieve information from a mass storage, of the local computer, utilizing the machine, the mass storage being in communication with the machine via the local computer. (Emphasis Added).

Haman, on the other hand, describes the downloading of data and display attributes "into non-volatile memory of the subscriber terminal, such as Flash EPROM or battery backed up RAM." (Haman, column 3, lines 4-8). Haman goes on to describe, as an object of the invention disclosed therein, the varying of "such on-screen display information and display attributes by replacing a non-volatile memory, for example, ROM or Flash EPROM memory in which such data is stored." (Haman, column 4, lines 33-37).

As is apparent from Figure 2B of Haman, and the accompanying description in column 7, line 10-column 8, line 18, the Flash EPROM memory 134 of the subscriber terminal 40 forms

part of the subscriber terminal 40, and is directly coupled to the control microprocessor 128 of this terminal 40. Haman also describes other memory structures (eg, DRAM 137) as being incorporated within the subscriber terminal 40.

Claim 313 has now been amended to specify communications between the machine and a local computer, which is collocated with the machine. Furthermore, claim 313 now requires that information is retrieved from a mass storage, of the local computer, the mass storage being in communication with the machine via the local computer.

Clearly, Haman provides no disclosures that is anticipatory of the above-identified limitations of claim 313.

Having amended claim 313 as indicated above, and submitted the above remarks, the Applicants believe that the rejection against claim 313 has been addressed, and withdrawal of this rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. §103

To support a rejection under 35 U.S.C. §103 (a), the prior art references, when considered singularly or in combination, must teach or suggest all of the claim limitations. The Applicants believe that the rejection under 35 U.S.C. §103 (a) is addressed below by the arguments that the cited prior art references, when combined, do not teach or suggest all the claim limitations of the independent claims as amended.

Turning first to independent claim 246, this claim (as amended) now includes the following limitation:

wherein the client further includes a client computer to process computer code, included in the application data, to facilitate an interaction with a user. (Emphasis Added)

The Office Action, with reference to Graczyk, states that the "claimed client corresponds with the TV circuit 46, which is enabled to receive TV signals from an antenna or CATV connection, col. 5, lines 64-66." The TV circuit 46 is however not a client that includes a client computer to process computer code, included in application data, to facilitate an interaction with a user, as is required by claim 246. Indeed, the disclosures in Graczyk are limited to a workstation (10) that includes telecommunications circuitry (12) and multimedia circuitry (14) in a single chassis (20). (See Graczyk, col. 4, lines 13-21). The TV circuit 46 simply does not have the ability to process computer code.

The above identified limitation of claim 246, as amended, corresponds in part to canceled claims 252 and 253. In rejecting claims 252 and 253, the Office Action points to Figure 3 of Graczyk, which illustrates the components of the television circuit 46. The television circuit 46 is described as being "an IBM PC-AT compatible single slot add-in circuit that is placed on an add-in card that integrates full motion video and audio with personal computer 24." (Graczyk, col. 9, lines 41-44). Graczyk goes on to state that the "[h]ardware of television circuit 46 is configured to run under DOS, or a graphical user interface software package, such as Windows 3.0 or Multimedia Windows." (Graczyk, col. 9, lines 63-65). The Applicants take the above disclosures to mean that the television circuit 46 can be integrated within a workstation (10) that is operating under the above-identified operating systems, and can be added into an IBM PC-AT computer. However, the Applicants do not believe that the television circuit 46, discussed in Graczyk, is itself capable of processing a computer code, much less computer code received as part of application data as required by claim 246. Indeed, Graczyk describes the television circuit 46 as essentially including an input 174, a decoder 1, Orion 202, a video processor 222, and an output 226. The video processor 222 is described as outputting I²C signals to Orion 202 and also

various video and audio output signals. However, there is clearly no disclosure of the components of the television circuit 46 processing computer code that is received as part of application data, as required by claim 246.

In summary, Graczyk and Haman, when considered singularly or in combination, fail to disclose a local computer, that is collocated and in communication with a client, the client further including a client computer that processes computer code included in application data received at the client. In short, claim 246 requires two computers, namely a local computer that is collocated and in communication with the client, and the client computer to process the computer code included in the application data.

Turning now to claim 257, this claim has been amended to include the following limitations:

a client to receive data including at least auxiliary data and application data, including computer code executable by the client to facilitate an interaction with the user...

a local computer collocated and in communication with the client to allow the client to communicate with the local computer; and

a mass storage, of the local computer, in communication with the client to enable the client to retrieve information from the mass storage via the local computer. (Emphasis Added).

The above remarks, regarding the ability of the client to execute computer code included within application data received at the client, are also applicable to a consideration of the allowability of this claim.

Furthermore, claim 257 also requires a mass storage device, associated with the local computer, from which the client is able to retrieve information via the local computer.

Clearly Graczyk and Haman, when considered singularly or in combination, do not disclose a client, capable of executing computer code, and a separate local computer, the local computer having mass storage associated therewith from which the client can retrieve information via the local computer.

Turning to independent claim 268, the remarks provided above with respect to claim 246 are applicable.

Turning to claim 277, the remarks provided above with respect to claim 257 are applicable.

Turning to claim 285, the remarks submitted above with respect to claim 246 are applicable.

Turning to claim 298, the remarks submitted above with respect to claim 257 are applicable.

Turning to claim 312, the remarks submitted above with respect to claim 246 are applicable.

As the various dependent claims of the present application are deemed to include all limitations of the claims from which they depend, the rejections against these various dependent claims are similarly addressed by the provided amendments and remarks.

In summary, the Applicants believe that all rejections against the presently pending claims have been addressed, and withdrawal of these rejections is respectfully requested. The Applicants furthermore believe that all claims of the present application are now in a condition for allowance, which is earnestly solicited.

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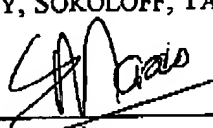
If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact André Marais at (408) 947-8200.

Respectfully submitted,

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Dated: _____

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